

HOUSE BILL 1062
By Ferguson

AN ACT to amend Tennessee Code Annotated, Title 45, Chapter 10 and Title 71, Chapter 6, relative to abused elderly persons.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 71-6-103(d), is amended by adding the following as new subdivision (3) and by renumbering the existing subdivision (3) and subsequent subdivisions accordingly:

(3) Notify the commission on aging, office of state long-term care ombudsman, in all cases in which the report involves abuse, neglect or exploitation of an adult by another person or persons;

SECTION 2. Tennessee Code Annotated, Section 71-6-103(i), is amended by designating the existing language as subdivision (1) and by adding a new subdivision thereto, as follows:

() In order to avoid the unnecessary possession of an elderly person by the department, before the department requests authorization from a court to provide protective services, a representative of the department shall contact the commission on aging, office of state long-term care ombudsman, and any interested agency or person

known to the department or the ombudsman who has information that a practical alternative to court authorization for protective services may be available.

SECTION 3. Tennessee Code Annotated, Section 45-10-104(b), is amended by designating the existing language as subdivision (1) and by adding the following language to be designated as subdivision (2):

(2) With regard to financial accounts of elderly customers, nothing in this chapter shall preclude any financial institution, or any officer, employee or agent of a financial institution from notifying the department of human services that such institution, or officer, employee or agent has information which the financial institution or its representative believes may be relevant to a suspected violation of the Tennessee Adult Protection Act compiled in title 71, chapter 6, part 1. In addition to reporting the name or other identifying information for such notifications as provided in subdivision (1), for such notifications a description of the suspected violation may also be disclosed.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.